

TRO Exhibit 8: Abusive Discovery Declaration

EXHIBIT 8

DECLARATION REGARDING ABUSIVE INTERROGATORIES AND DEPOSITION CONDUCT

I, Lester Aubrey Lee, Jr., make the following declaration pursuant to 28 U.S.C. 1746:

Defendants Brookside Park Condominium Association, Metropolis (MCM, Inc.), and Rammy Azoulay, all represented by attorney Anthony D. Dwyer, have coordinated discovery in a manner that exceeds the numerical limits set forth under Rule 33(a)(1) of the Federal Rules of Civil Procedure, which states that "a party may serve on any other party no more than 25 written interrogatories, including all discrete subparts." Taken together, the coordinated interrogatories served by Defendants totaled more than 80 questions.

This conduct appears designed not to obtain meaningful discovery, but to cause litigation fatigue and procedural failure by overwhelming me, a disabled pro se litigant. The excessive interrogatories have been used as a tool of retaliation and coercion, not legitimate discovery. I believe this behavior violates both the letter and the spirit of the Federal Rules.

Further, Attorney Dwyer filed a Motion to Dismiss before the Court had even ruled on my Motion to Proceed Pro Se, demonstrating a lack of respect for due process and awareness of my pro se status. This action reflects an intent to gain procedural advantage rather than litigate in good faith.

During my deposition, when my former attorney Richard Rosenthal attempted to object to abusive lines of questioning, Mr. Dwyer responded with the following statement:


"You have nerve to object when you havent even submitted any discovery to us."

This was not only inappropriate but clearly intended to intimidate my former counsel and chill any defense on my behalf. It reflects a pattern of abusive and unethical conduct by Mr. Dwyer throughout these proceedings.

I submit this declaration as Exhibit 8 in support of my Emergency Motion for Temporary Restraining Order, Motion to Strike Discovery, and Motion for Sanctions and Disqualification of Counsel.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on June 11, 2025.

A handwritten signature in black ink, consisting of a stylized 'L' followed by a long horizontal line.

Lester Aubrey Lee, Jr.

Plaintiff Pro Se